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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 KENNETH MILLS,

No. CIV S-04-1649-DFL-CMK

12 Plaintiff,

13 vs.

ORDER

14 STATE OF CALIFORNIA, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to
19 Local Rule 72-302(c)(21).

20 On November 3, 2005, the magistrate judge filed findings and recommendations
21 herein which were served on plaintiff and which contained notice to plaintiff that any objections
22 to the findings and recommendations were to be filed within ten days. Plaintiff has not filed
23 objections to the findings and recommendations.

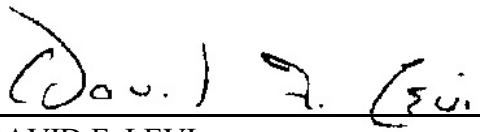
24 The court has reviewed the file and finds the findings and recommendations to be
25 supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 3, 2005, are adopted in full;
2. This action is dismissed for lack of prosecution and failure to comply with court orders and rules;
3. All pending motions are denied as moot; and
4. The Clerk of the Court is directed to enter judgment and close this file.

DATED: 1/31/2006



DAVID F. LEVI
United States District Judge